

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN ERIC,	:	CIVIL ACTION NO. 1:09-CV-1052
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
DONSCO INCORPORATED,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 20th day of July, 2010, upon consideration of the motion (Doc. 24) to strike plaintiff's brief in opposition to defendant's motion for summary judgment and plaintiff's counterstatement of disputed material facts, filed by defendant Donsco Incorporated ("Donsco"), wherein Donsco requests that the court strike the brief in opposition (Doc. 23) to the motion (Doc. 13) for summary judgment, filed by plaintiff John Eric ("Eric") on June 4, 2010, and asserts that the brief in opposition (Doc. 23) was untimely filed and should be stricken, and it appearing that Eric's brief in opposition was originally due to be filed on or before May 14, 2010, that he missed at least one filing deadline and received two extensions of the briefing schedule, and that his latest filing deadline was extended to June 2, 2010, but that he nonetheless filed his brief in opposition on June 4, 2010, and it further appearing that Donsco has identified no prejudice which it suffered as a result of this delay, and finding it in the interests of justice to resolve the above-captioned matter on the merits, it is hereby ORDERED that:

1. The motion (Doc. 24) to strike is DENIED.
2. On or before July 26, 2010, Donsco may file a brief in reply.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge